

## MILLERSYLVANIA STATE PARK, WASHINGTON

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JANUARY 27, 1925.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

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Mr. SMITH, from the Committee on the Public Lands, submitted the following

### REPORT

[To accompany H. R. 11210]

The Committee on the Public Lands, to whom was referred H. R. 11210, a bill to grant certain public lands to the State of Washington for park and other purposes, herewith reports the same to the House with an amendment recommending that as amended the bill do pass. The amendment is as follows:

Page 1, line 6, after the word "purposes," strike out the remainder of the sentence down to and including the word "act," in line 10.

The bill proposes to grant to the State of Washington, solely for park, recreation, playground, or public convenience purposes, a lot totaling five one-hundredths of an acre in area. The amendment strikes out provision for payment at the usual acreage rate for the reason that the area, at that rate, would require a payment of a trivial sum estimated at 6¼ cents. The necessity for the enactment of the bill is disclosed in the following correspondence:

STATE PARKS COMMITTEE,  
*Olympia, Wash., December 1, 1924.*

HON. ALBERT JOHNSON, M. C.,  
*Washington, D. C.*

DEAR SIR: There is a small tract of land containing about 0.05 acre and identified as lot 5 of section 2, Tp. 16 N., R. 2 W., W. M., which, as shown by the plat inclosed herewith, lies entirely within the Millersylvania Memorial State Park, with a frontage on Deep Lake of about 100 feet.

This tract is still public land, having remained unnoticed and unsurveyed until this year, and at the request of the State parks committee, was withdrawn by Executive Order No. 4054, dated July 24, 1924, in aid of legislation to authorize the use of such land for park purposes.

Since this park is within your district, being situated about 9 miles south of Olympia, the State parks committee respectfully requests that you undertake to secure the transfer of this land to the State of Washington for park purposes.

You may refer to the following correspondence:

Secretary Work's letter to H. W. Rutherford, State parks superintendent, dated July 24, 1924.

Acting Commissioner Wickham's letter, dated October 11, 1924, file 1145477 "FS" FSH.

Thanking you for your assistance in the matter, I am,

Very respectfully,

C. L. BABCOCK,  
*Chairman State Parks Committee.*

#### MILLERSYLVANIA MEMORIAL STATE PARK

This park embraces a tract of land in size nearly 720 acres, lying 9 miles south of Olympia on the old Olympia-Centralia road. It has a frontage on Deep Lake of about 2,000 feet and is variously comprised of cleared farm land with buildings, timber growth, both old and young, and lake-shore frontage, as previously noted. The park came into the State's possession as the result of a bequest jointly from Frederick Jacob Xenophon Miller, Matilda Sophia Miller, deceased, and a gift from Christina Mary Miller, who still survives, as a result of an agreement entered into by all three in 1921. In addition to the land itself, by the terms of the will, a fairly large trust fund will eventually come into the State's possession, the income from which will be devoted to maintenance and improvement of the park. (Extract from second biennial report of State's parks committee, State of Washington.)

DEPARTMENT OF THE INTERIOR,  
*Washington, December 18, 1924.*

Hon. ALBERT JOHNSON,  
*House of Representatives.*

MY DEAR MR. JOHNSON: I have your letter of December 9 concerning the procedure whereby the State of Washington may secure lot 5 of sec. 2, T. 16 N., R. 2 W., Willamette meridian, containing 0.05 of an acre, for use as an addition to the Millersylvania Memorial State Park, with accompanying letter and blue print.

Last July, Mr. H. W. Rutherford, superintendent of State parks, requested, in behalf of the parks committee of the State of Washington, the withdrawal of that part of said section lying north and west of Deep Lake, which had not then been defined by lot designation, in aid of legislation to reserve the land for park purposes. He advised that the adjoining land had been acquired by the State for such purpose and that the committee desired to prevent anyone from securing the tract with the object of selling to the State at an excessive price. The records of the General Land Office of this department show the tract to be unappropriated, included in a withdrawal for coal classification made July 7, 1910, and within the primary limits of the Northern Pacific Railway Co.

In view of the representations made by Mr. Rutherford, the President, upon my recommendation, withdrew the tract on July 24, under authority of the general withdrawal act of June 25, 1910 (36 Stat. 847), as amended, in aid of proposed legislation to authorize its use for park purposes, and I inclose herein a copy of such order. There is no law which authorizes the granting of public land to the State of Washington for the purpose contemplated, and legislation will therefore be necessary. Legislation for a similar purpose is embodied in the recent act of June 7, 1924 (43 Stat. 643, S. 3093), granting certain public lands to the city of Phoenix, Ariz., for park purposes.

The inclosures transmitted with your letter are herein returned.

Very truly yours,

HUBERT WORK.

DEPARTMENT OF THE INTERIOR,  
Washington.

Hon. E. J. SINNOTT,  
*Chairman Committee on the Public Lands,  
House of Representatives.*

MY DEAR MR. SINNOTT: I am in receipt of your reference of January 5, 1925, with request for report of H. R. 11210, "A bill to grant certain public lands to the State of Washington for park and other purposes."

The bill proposes to grant to the State of Washington lot 5, sec. 2, T. 16 N., R. 3 W., W. M., containing 0.05 of an acre, upon payment for the land at the rate of \$1.25 per acre within six months after the approval of the act. The grant is made subject to any valid existing claim or easements and reserves to the United States all oil, coal, or other mineral deposits, and contains the usual reversionary provisos.

The records of the General Land Office show the tract to be unappropriated, included in a withdrawal for coal classification made July 7, 1910, and within the primary limits of the Northern Pacific Railway Co.

The purposes of the bill are worthy and this department has no objection to offer to its enactment.

Very truly yours,

HUBERT WORK.

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